#24

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT OF

CLARK ET AL

U.S. PATENT NO. 5,891,429

DATE: April 6, 1999

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 CFR §1.378(b) TO ACCEPT DELAYED PAYMENT OF MAINTENANCE FEE DUE TO UNAVOIDABLE DELAY

Sir:

It is respectfully requested that this petition to accept delayed payment of maintenance fee due to unavoidable delay be granted.

The 5,891,429 patent was initially prosecuted and maintenance fees were being handled by the Law firm Fitzpatrick, Cella, Harper and Scinto. In October 21, 2002, Melvyn Kassenoff of Novartis emailed Fitzpatrick, Cella, Harper and Scinto to indicate that Novartis will handle the maintenance fees for patent 5,891,429. On October 22, 2002, Linda Rothwell, Senior Paralegal, of Novartis Pharmaceutical Corporation indicated that the patent was properly docketed. Patent 5,891,429, as of the time it was discovered that the patent had expired, was docketed in our system as "live", which indicated that the case was not abandoned and the maintenance fees would have been paid. Further review of our files indicate that Novartis Pharmaceuticals Corporation never received reminders from the United States Patent and Trademark office because the law firm of Fitzpatrick, Cella, Harper and Scinto was listed as attorney of record. The unavoidable delay came to the applicant's attention in June of 2010 resulting in the filing of this petition promptly in accordance with 37 CFR 1.378(b).

Attached are supporting exhibits and declarations of Linda Rothwell, Senior Paralegal of Novartis Pharmaceutical Corporation and of Lawrence Perry, Partner of the law firm Fitzpatrick, Cella, Harper & Scinto, to support the acceptance of delayed payment of maintenance fee(s) due to unavoidable delay.

Please charge the Petition fee, the required maintenance fee(s), and surcharges to Deposit Account No. 19-0134 in the name of Novartis Corporation. A duplicate copy of this petition is attached herewith.

Respectfully submitted,

Gregory O. Houghton
Attorney for Applicant
Reg. No. 47,666
Tel: 862-778-5115

Date: 8-5-2010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT OF

CLARK ET AL.

U.S. PATENT NO: 5,891,429

DATED: April 6, 1999

DECLARATION OF LINDA ROTHWELL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. I, Linda Rothwell, declare as follows:

2. I am currently employed by Novartis Pharmaceuticals Corporation (NPC) as a Senior Paralegal. For over the past forty years, I have worked for NPC or a pre-merger related entity as a docketing professional.

3. On October 22, 2002 I confirmed via email to patent attorney Melvyn Kassenoff that I docketed U.S. Patent No. 5,891,429 (the '429 patent) and five other patents for payment of the USPTO maintenance fees. (Exhibit 1). I docketed the '429 patent for maintenance fee payment by entering the relevant data into our docketing management software, which at the time was PATTSY. As indicated by the attached brochure, PATTSY was a leading provider of industry standard docketing software, used by some of the largest patent filers. (Exhibit 2). Part of the functionality of PATTSY was its ability to generate reports on maintenance fee payment due dates, based upon which I would periodically run reports and pay the maintenance fee.

4. Around May 2006 we switched our docketing software to Memotech, another leading docketing software. (Exhibit 3). Memotech is owned by CPA Global and directly integrates with CPA's renewal services to automatically provide maintence fee (i.e. renewal) calculations and instructions. See page 9 of Exhibit 3. CPA Global is also a leading provider of patent renewal payments.

5. I was also in charge of entering docket data, include information related to maintenance fees, during the month of December 2006. As indicated in Exhibit 4, a

screen shot from Memotech indicates that on December 19, 2006 the docket reminder to pay the maintenance fee was closed. I do not recall receiving any instructions to close the maintenance fee reminder for the '429 patent. I also checked our records management software, and there is no record of instructions to close this docket reminder. (Exhibit 5). Therefore, I conclude that the docket reminder was likely closed in error, likely as a computer error in the conversion from PATTSY to Memotech.

6. I also did not receive notice from the USPTO, an outside law firm or from Memotech that maintenance fee would not be paid and the '429 patent would be allowed to expire. In fact, as of the signing of this Declaration, Memotech still indicates that the status of the patent is "live." See Exhibit 6 page 4 out of 5. Therefore, based on our docket system and procedures, I was not informed that the '429 patent would or had expired.

7. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title XVIII of the United States Code and that willful false statements may jeopardize the validity of this Application for Patent or any patent issuing thereon.

Dated: August 5, 2010

Linda Rothwell

From:	linda.rothwell@pharma.novartis.com
Sent:	Tuesday, October 22, 2002 1:59 PM
To:	melvyn.kassenoff@pharma.novartis.com
Cc:	ACarle@fchs.com
Subject:	Re: Maintenance Fees

This is to confirm that all six patents are in our docket system and will
be paid as they become due.

Linda

Melvyn Kassenoff
10/21/2002 11:29 AM

To: ACarle@fchs.com
cc: Linda Rothwell/PH/Novartis@PH
Subject: Maintenance Fees

    This is to confirm what I indicated to you earlier this morning, viz.
that Novartis itself has paid and will continue to pay the maintenance fees
for all of our GM-CSF patents, viz., US 5,720,952, 5,795,568, 5,891,429,
5,895,646, 5,908,763 and 5,942,221. In fact, the maintenance fee for US
5,895,646 was paid last month. Accordingly, please remove these six
patents from your maintenance fee payment docket. Thank you.

    Linda, please make sure that all six of these patents are in our
docketing system for maintenance fee payment. Thanks.

Mel Kassenoff

EXHIBIT 1

00025.003800.7   PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
                                         : Examiner: Prema Marie Mertz
STEVEN C. CLARK, ET AL.   )
                                         : Group Art Unit: 1646
Application No. 08/466,308   )
                                         : Confirmation No.: 2915
Filed: June 6, 1995   )
                                         :
U.S. Patent No. 5,891,429   )
                                         :
Issue Date: April 6, 1999   )
                                         :
For: RECOMBINANT HUMAN   )
       GRANULOCYTE-   :
       MACROPHAGE-COLONY   )
       STIMULATING FACTOR   :
       (GM-CSF)   )

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF LAWRENCE S. PERRY

Sir:

        I, the undersigned LAWRENCE S. PERRY, declare and say that:

        1.   I am partner with the law firm of Fitzpatrick, Cella, Harper & Scinto

("firm"), 1290 Avenue of the Americas, New York, New York 10104, and have been with

the firm since March of 1986. I am the attorney who was primarily responsible for

prosecution of the subject patent.

        2.   According to PTO PAIR, a Maintenance Fee Reminder was mailed

October 25, 2006.

3.   I have personally reviewed our firm's file jacket of this application and our firm's in-house docketing record relating to this case. Based on my search, the firm received that Maintenance Fee Reminder on November 14, 2006.

4.   I did not forward the Maintenance Fee Reminder to assignee because the assignee instructed the firm on October 21, 2002 to remove the patent from the firm's maintenance fee payment docket.

5.   I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that the statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title XVIII of United States Code, and that such willful false statements may jeopardize the validity of this patent.

Dated: August 3, 2010

Lawrence S. Perry
FITZPATRICK, CELLA, HARPER & SCINTO
1290 Avenue of the Americas
New York, New York 10104-3800

Electronic Patent Application Fee Transmittal

Application Number:	08466308
Filing Date:	06-Jun-1995
Title of Invention:	RECOMBINANT HUMAN GRANULOCYTE MACROPHAGE - COLONY STIMULATING FACTOR (GM-CSF)
First Named Inventor/Applicant Name:	STEVEN C. CLARK
Filer:	Gregory Houghton.
Attorney Docket Number:	03500.001271.

Filed as Large Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Petition-revive unavoid. abandoned appl	1452	1	540	540
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
		Total in USD ($)		540

Electronic Acknowledgement Receipt

EFS ID:	8161724
Application Number:	08466308
International Application Number:	
Confirmation Number:	2915
Title of Invention:	RECOMBINANT HUMAN GRANULOCYTE MACROPHAGE - COLONY STIMULATING FACTOR (GM-CSF)
First Named Inventor/Applicant Name:	STEVEN C. CLARK
Customer Number:	05514
Filer:	Gregory Houghton.
Filer Authorized By:	
Attorney Docket Number:	03500.001271.
Receipt Date:	05-AUG-2010
Filing Date:	06-JUN-1995
Time Stamp:	14:27:57
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	$540
RAM confirmation Number	593
Deposit Account	190134
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)

1	Petition for review by the Office of Petitions.	Declaration.pdf	2221752	no	29
			eb5933270cec2059fb88e5d17e1db6e70ea c4868		

Warnings:

Information:

2	Fee Worksheet (PTO-875)	fee-info.pdf	30466	no	2
			bd9391a580ca42e424917fe73ec8592c2ee 8cf03		

Warnings:

Information:

	Total Files Size (in bytes):	2252218

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

O P Solutions, Inc.

Welcome to

O P Solutions, Inc.

Who We Are

O P Solutions has been a leading provider of high quality software to the Intellectual Property legal community since 1990. We are among a very small group of providers that have survived the test of time in a market that is defined by change. Through years of dedicated effort, we have acquired a reputation as the "go to" people when results count. We are frequently able to implement our systems in little more time than some of our competitors require to return a technical support call.

What We Do

Our flagship product, PATTSY® (Patent and Trademark Tracking System), is used by hundreds of organizations around the globe. Our clients are among some of the largest patent and trademark filers in the world and include the "who's who" of corporate America and the Intellectual Property Legal community.

So why are we unique? For starters, we are among a dying breed of software vendors who DO NOT outsource our research and development or route customer requests to an overseas call center. Aside from a few stock photos and self serving intro above, you will find little-to-no fluff on our website. Simply stated, it is ALL about the product … whether the unique design of PATTSY's interface, the superiority of our support staff or our ability to adapt to industry changes faster than any other vendor.

True to our promise, you will find the balance of our site devoted to our product …Read on!

EXHIBIT 2

O P Solutions, Inc.

PRODUCTS

PATTSY is our flagship product. Our company is dedicated to software solutions for the IP profession. The system is available in a standard Windows version as well as a web browser based version. Before proceeding to the product specific information below, you may consider perusing our ...Buyer's Guide.

To access the Quick Tour portion of our website or arrange a full demonstration of either version please ...contact us.

PATTSY for Windows

With a history of over 15 years, hundreds of organizations rely on PATTSY to manage their sensitive intellectual property matters. Available in both native and SQL versions, the system can be deployed on a single workstation or a large multi-user network. Our largest installations manage over 100,000 matters on the Windows version of PATTSY.

...Additional Information

PATTSY WAVE Technology

PATTSY WAVE incorporates the core functionality and features available in the Windows version. Built on Microsoft® .Net technology in conjunction with Microsoft's SQL Server back end database, WAVE is intended to provide seamless access anytime (day or night), anywhere (office, home, while traveling)...wherever there is internet access.

...Additional Information

PATTSY®

WAVE Web Access Version

O P Solutions, Inc.

OVERVIEW

PATTSY's stands for Patent and Trademark Tracking System. The system also includes a Licensing and General Matters module where users can define custom case types including Oppositions, Cancellations, Agreements and Litigation matters. PATTSY is written in Microsoft Access and is available in standalone, network, and SQL Server versions. Users of PATTSY enjoy some of the most advanced features in the industry, including but not limited to, letter and forms generation, image linking, PTO connectivity tools, email reminders and our signature single screen design - which has always set PATTSY apart from other IP management products.

AUTODOCKET®

PATTSY has the most comprehensive IP docketing capability in the industry. Upon entry of key trigger dates, PATTSY will automatically add the appropriate action items throughout the patent and trademark application process. The "pre-defined action" or "country law file" is the core of AutoDocket and contains more than 2000 pre-defined action definitions covering over 200 countries throughout the world. Users can completely customize their docket strategy by modifying and/or augmenting the contents.

PATTSY will automatically insert the particulars including the action's due date, extensions, final date, call up period, etc. This functionality extends to all action predefinitions (e.g., office actions, final rejections, maintenance fees, etc.) Users can also specify the responsible people to receive each due date on their docket or calendar report. This "Docket Directing" feature suppresses unnecessary "clutter" by ensuring that attorneys, paralegals and other staff only receive the actions of interest on their personal docket. PATTSY is so sophisticated that it understands the difference between a continuation and a CIP, a design and a utility patent and the idiosyncrasies of a Saturday vs. a Tuesday due date, to name a few.

The pages listed to the left provide a basic overview of the PATTSY software. For a more thorough experience, we suggest downloading the DEMO CD, which can be accessed by clicking the bottom link on the left. The DEMO CD requires a name and password which can be obtained by ...contacting O P Solutions.

O P Solutions, Inc.

THE PATENT MODULE

Users of the patent module will become effective in data entry and retrieval after only a few hours of training. Beyond layout and function, PATTSY has the most advanced practice specific automation in the industry. This is the unequivocal point that sets PATTSY apart from its competitors. Whether handling office action extensions, patent family interdependencies or final rejection processing, PATTSY's superior practice specific automation will be profoundly obvious. After completing this tour please visit the "Buyers Guide" on our products page for more details.

THE TRADEMARK MODULE

The trademark module also enjoys the benefits of our single screen design... effective data entry and retrieval will be achieved after only a few hours of training. PATTSY has the most advanced trademark specific automation in the industry. While many competitors have added trademark specific functionality as an afterthought, PATTSY has been developed with equal emphasis on trademark prosecution. The way PATTSY handles Madrid Protocol applications or "use" based requirements throughout the world is a clear indication of our commitment to the trademark practice.
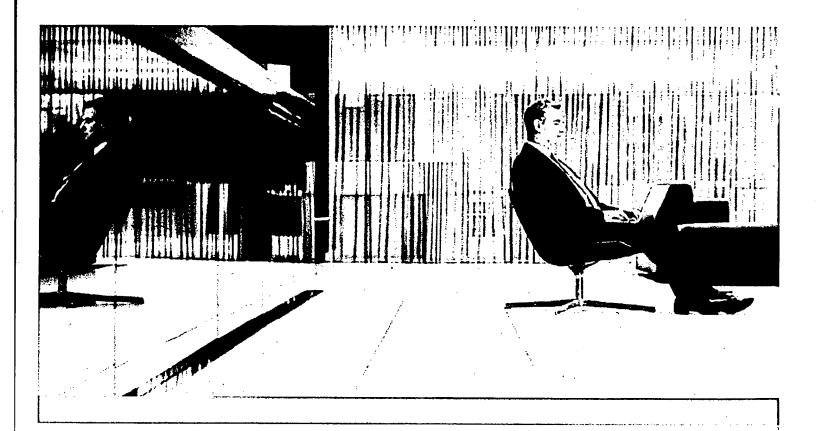
THE GENERAL MATTERS MODULE

Many third party and/or related cases can be entered in the general matters module. While the system comes pre-loaded with most standard case types (i.e., Litigation, Opposition, Interference matters, etc.), the user is given ultimate flexibility to define any number of custom case types. As in the patent and trademark modules, the general matters module comes with a robust set of pre-defined actions, and can be customized for a versatile set uses.

THE LICENSE MODULE

The license module can be used to track many different types of agreements (i.e., Material Transfers, Confidentialities, Leases, etc.). As with the general matters module, the license module is completely customizable and can be configured for a wide variety of uses. It comes loaded with a basic set of pre-defined actions which can be updated and amended. Patent and Trademark records can also be crossed referenced and linked to any record in the license module.
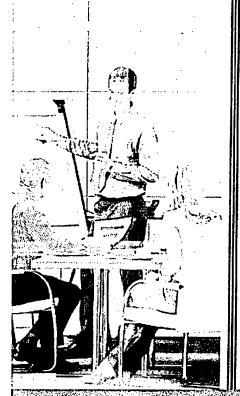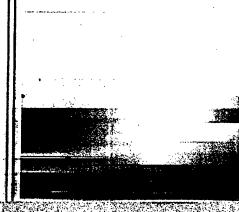
CPA GLOBAL

Memotech

Complete IP lifecycle management for the enterprise
Configurable. Modular. Powerful

EXHIBIT 3

"We've been impressed with CPA Global from
the beginning. Its services and products are
flexible and scalable, and can grow with our
business requirements. By using Memotech
we are able to manage our portfolio effectively
while running our IP department smoothly."
Christine Uffindel, Patent Attorney, Canon Europe

Get total control over your IP lifecycle

Memotech is a state of the art, web-based IP management software solution specifically designed for the corporate IP department. It not only helps you handle your patent, trademark, design, licensing & agreement and domain name portfolios, but also keeps track of invention submissions, inventor awards and costs associated with the lifecycle management of your IP. Using Memotech means you can connect to – and share information with – inventors, patent committees, attorneys, outside counsels, business managers and everyone else involved in your IP activities.

Build the system that's best for you

Memotech is modular so you can build up your own solution by choosing and adding the features you need. There are five core elements – patent, design, trademark, licensing & agreement and domain name – that can be set up separately or deployed as a combined solution. Once you've chosen your base, you can bolt on whatever other modules you need from the Memotech portfolio. This gives you a complete IP management solution that is:
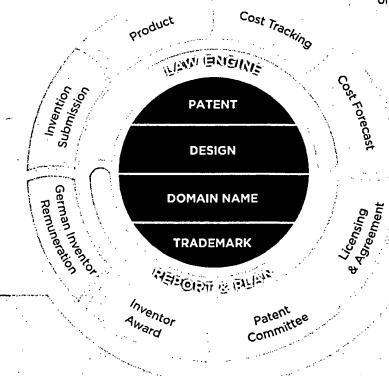
Configurable

Users can control the way information is displayed when they log in to Memotech – making it much more intuitive and easier to access exactly what they need in their role. They can also change field names, add or remove fields, change colours to match the corporate website and configure the system to fit with internal processes.

Integrated

Memotech can be integrated with applications across your corporate intranet – or the internet. You can configure it to interface with ERP applications, document management systems or dashboarding and reporting software, such as Crystal Reports. This means that you reduce manual entry, and can get a general view of various elements associated with your IP management. Then, instead of having to maintain various systems, you can easily exchange information from one to the other.

Collaborative

There is more to collaboration than simply sharing documents. Memotech can be set up to email deadlines and reminders automatically, while other business units can access the database and have pre-defined reports available. The system can be opened to other business partners as well so, for example, outside counsel can docket directly into Memotech if they have been given access.

Easy to deploy

Once Memotech is installed on your server, remote users can access it via the web. Adding new users can be handled centrally regardless of where they are and people can simply log in to the website using the details they have been given.

Simple to maintain

A single download provides the latest software to every user wherever they are because the software is network-based.

"With Memotech we've made our IP management process consistent for the first time. We can now access a single web-based system and get a 360-degree view of our portfolio – at anytime and from anywhere."

Novartis

Why choose Memotech?

Manage the entire lifecycle

The modular nature of Memotech enables you to build a system to support you all the way from idea, through invention to filing and beyond. It handles absolutely everything for you – from the moment an inventor submits an idea to the patent being filed – as well as the admin, costs and reports connected with your IP department. And, by linking and integrating with other third party tools, you can manage the entire department centrally while allowing access so other business units have a clear view of your IP activities.

Improve efficiency

You store your IP data, documents and files in one central location with Memotech, which can be accessed and updated by authorised users at any time. This eliminates duplication of information or data entry into disparate systems, promoting more efficient working practices. Automation is a key feature of Memotech. All the events and rules can be set up and triggered automatically. By automating so many processes, Memotech frees people to focus on higher value business tasks instead of spending time on admin – helping you offer a better service to clients or business partners.

Enhance collaboration

Memotech provides a platform for effective communication both within your IP department and with external stakeholders. Users can access the online system 24/7 to manage and administer their work. They can view status, execute tasks or run reports as needed.

All of this helps you save time, reduce unnecessary correspondence, and work together better. And not only can you use Memotech from wherever you are located, but you can also adapt the language to suit local needs, meaning it can be used by global organisations working in different countries.

Manage cost

Memotech has a number of features to help you manage costs and plan budgets better. For example the Cost Tracking module enables you to identify, track and report on all IP-related costs and then allocate expenses for each case so that you always have an accurate view of your IP spending. You can import invoices and integrate them with the Memotech database, and create and manage deposit accounts for suppliers and IP offices.

Similarly, by using the Cost Forecast module you can see the forecasted lifecycle costs of a selected patent and make informed decisions on whether to abandon it, if it shows as uneconomic. Last but not least, the ERP Toolbox helps you synchronise the financial data in Memotech with an external ERP solution, such as SAP.

Mitigate risk

Minimise the risk of inaccurate data entry while transferring information between systems by having everything in one place. Electronic document management and email records create a central paperless IP environment that can be easily monitored or audited. You can run a report at the touch of a button, so you can always see the bigger picture – right down to the fine details.

Risk mitigation is not only seen through the automation that the system provides. It also ensures that your data is never lost or compromised which is why we provide the highest level of security to guarantee the protection of your IP information. Perhaps most importantly, the system calculates deadlines automatically based on the appropriate country laws, providing you with timely information about the deadlines essential to prosecution and maintenance of your IP portfolio. The database is regularly updated with new rules as the laws change.

Law Update Service

We have a dedicated legal research team consisting entirely of qualified IP attorneys. In addition, we have a network of several hundred agents who provide us with the most current laws information in their jurisdiction, including early warning of proposed legislation.

We also proactively monitor websites of IP Offices around the world and keep tabs on key industry organisations, blogs, and other important sources of timely information about IP laws. Combined with Memotech, this removes the need for you to create and maintain your own IP rules and laws.

This means your IP data is not only stored securely but you can be confident that you're completing the right actions at the right time. The system's law update tool helps you install, compare and perform updates on your law database.

Security and setup

A great deal of the flexibility and usability of Memotech stems from the fact that it is web-based. But this feature also means that security measures have to be in place to avoid any data being compromised. Memotech guards against this with a number of stringent security features, including:
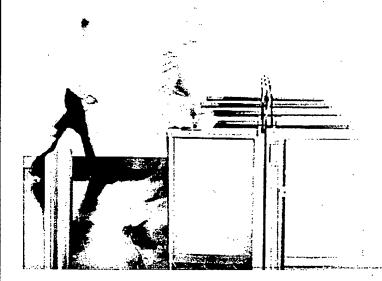
O Support of the SSL (Secure Socket Layer) protocol: use of https instead of http
O Database connection string is encrypted
O Easy setup of temporary accounts with expiration date
O Potential link to an Active Directory or LDAP database

Getting personal

User account access rights are very flexible in Memotech. Each user has settings that define how they interact with the system, including:

O Their role (contact, agent, inventor, invoice supplier etc.)
O The menus visible to them
O Which modules can be accessed by them in read/write and read only
O What actions (insert, update and delete) they can perform for each functionality and topic
O Cases they can access, according to screen, filing type, IP site, division and name type
O Login and global security settings
O Which documents a user can view, insert, update, and delete
O The events and keywords a user can insert, update, and delete.

IP professionals can change the layout and content of the pages they view by creating and editing a Profile Screen using simple drag and drop techniques. In addition they can add, modify or delete topics, fields and menus. Users can choose English, German or French as their default screen language.

Seamless access to a world of services

As well as integrating with a whole host of internal applications, Memotech is also your gateway to a wide range of services, such as those provided by patent and trademark offices, outside counsel and CPA Global. These include:

Patent proofreading

We have a dedicated proofreading team who provide a comprehensive two-part proofreading report with each patent indicating any errors or discrepancies discovered.

Patent search

CPA Global has a suite of patent search services delivered by technical experts in a wide range of fields.

Illustrations for patents, trademarks and designs

Whether you're after simple or complex illustrations our teams can prepare drawings in accordance with Patent and Trademark Office specifications in a broad range of technical fields.

Docketing (record keeping)

You can take advantage of a broad and knowledgeable talent pool without the hiring, administrative, training and turnover challenges associated with internal staff.

Paralegal services (formalities)

With experienced paralegal support from us, you're free to concentrate on more critical IP matters.

Renewals Electronic Interface

Memotech's renewals electronic interface, available to CPA Global clients using the renewals service, means decisions such as pay, abandon, and other instructions can be made quickly. Because data is coming directly from your docketing system you gain greater control, efficiency and accuracy.

The renewals interface also gives you:

- Direct and secure integration with renewals services
- Automated renewal calculations and instructions
- Status and information updates provided for CPA Global clients
- Automatic upload of files upload or send file updates via email

9

Solutions for success, delivered by a proven partner

Research In Motion

Canadian company Research In Motion (RIM) shot to fame with the launch of the Blackberry system. RIM had already built up a large IP portfolio by then and needed a dedicated system to manage it. The company chose Memotech and the new system has increased automation, improved communication with stakeholders and established a platform for invention.

Importantly for a global company with multiple registrations and renewals, the software suite incorporates patent laws to ensure that vital deadlines are docketed and monitored. It also provides a sophisticated reporting function allowing users to generate reports on request. Memotech has also transformed communication between departments, with the IP department able to share information much more easily with other business units. RIM can now make custom reports available on its enterprise reports server.

This means other units can run the reports themselves, rather than relying on the IP department to do it for them.

CPA Global products: Memotech (modules: Patent, Cost tracking, Licensing & Agreement, Invention Submission)

The bottom line

O Reporting functions allow people to generate reports on request

O IP department no longer has to run reports for others

O Patent laws ensure deadlines docketed and monitored

O Better collaboration and information sharing between departments

Canon Europe

Canon Europe faced two main challenges in tackling its IP management: how to reduce risk and cut costs. The company's portfolio was growing fast but being managed on Excel spreadsheets. At the same time prosecution and management of its annuities were handled by outside counsel. Canon needed to bring its IP management in-house and needed a robust and powerful system to support this.

Since implementing Memotech the company has seen decreased IP risk exposure, reduced costs, greater financial visibility into the portfolio value, ease searching and more powerful reporting. Canon Patent Attorney [...] Lindsay: "CPA Global's innovative solutions allow Canon Europe to manage its portfolio more effectively and to better capitalise on its IP assets."

CPA Global products: Memotech (modules: Patent, Cost tracking, Licensing & Agreement)

The bottom line

O Process automation reduces errors and improves efficiency

O Web-based technology creates global reach and instant real-time access

O Standardises processes, consistency and improves data quality

O Centralised data provides critical business intelligence

www.cpaglobal.com

Looking for your perfect partner?

For more information on how Memotech and
CPA Global can help transform the way you manage
your IP visit www.cpaglobal.com/software

www.cpaglobal.com

Docketing

Delete All | None		Event

☑ ⊞ Expiry date

☑ ⊞ Annuity Pattsy

☑ ⊟ Annuity Novartis

☐ Due date modified manually   ☑ Closed

Comments

> System Updated on 19.12.06 with action:
> - Check-box 'CLOSED' ticked ▲
>
> ▼

Amount   Currency

into CHF

☐ Name type selection (To be done by)

To be done by

Executed by   Date

Record created by   Date   **10 Jan 2006**

Last modification by   Date

☑ ⊟ Annuity Pattsy

☐ Due date modified manually   ☐ Closed

Comments

> 06-Apr-2007   2ND MAINT FEE DUE ▲
>
> ▼

Amount   Currency

into CHF

☐ Name type selection (To be done by)

To be done by

Executed by   Date

Record created by   Date   **06 Apr 1999**

EXHIBIT 4

☞ Box

☞ 0600 LEGAL
  ☞ 0635 Patents Miscellaneous
    ☞120878 MISC. PATENTS - MAINTENANCE FEES 2004-2005
    MAINTENANCE FEES FROM JAN. 200 ...

FileSurf Box Number **120878**
Legacy Box Number
Date From **1/1/2004**
Date Thru **12/31/2005**
Box Status **Archived**
Box Description **MISC. PATENTS - MAINTENANCE FEES 2004-2005**

MAINTENANCE FEES FROM JAN. 2004 - DEC. 2004

MAINTENANCE FEES FROM JAN. 2005 - DEC. 2005

MAINTENANCE FEE REMINDER 2004 - 2005

NOTICE OF PATENT EXPIRATION 2004 - 2005
Box Size **Standard Box (1.2 cubic feet)**
Company **Pharma - Patent (J2076)**
Coordinator **Vocaturo,Carolina**
Source/Custodian 1
Source/Custodian 2
Last Modified **3/11/2008 10:46:22 AM**
Cost Unit **7605 PH - Patent-Pharma**
Pickup Date **1/19/2007**
Destruction Date **12/31/2011**
Date Created Box **1/18/2007 10:32:21 AM**
Desc Exceeded
On Hold ☐
On/Off-Site Facility **Iron Mountain**
Space Id
Room Number
Folders **0**
Circulation **-**
Links **-**

EXHIBIT 5

cpa memotech 5

Patent Family || Patent Application || Third Party Patent || Contact ||

Patent Family: List of patents

Internal Title	GM-CSF
Family Number	PAT118-6415
Original Reference	Other Reference
First Priority	United States of America (NP) - 06 Jul 1984 - 628342
First Filing	United States of America (NP) - 06 Jul 1984 - 628342

List of Patents (114)

Case Reference	Ctry	Type	Filing	Filing Number	Publication	Grant	Grant Number	Live,
PAT118-6415-AT-EPA	AT	EPA1	04 Jul 1985	89106339.8	18 Oct 1989	21 Oct 1998	337359	Close
PAT118-6415-AT-EPT	AT	EPT1	04 Jul 1985	85903275.7	30 Jul 1986	11 Sep 1991	188479	Close
PAT118-6415-AT-SPC	AT	SPC1	07 Dec 1994	SZ61/94		22 Oct 1997	SZ61/94	Close
PAT118-6415-AU-EXT	AU	EXT1	04 Jul 1985	45456/85		13 Nov 1990	599572	Live
PAT118-6415-AU-EXT02	AU	EXT2	04 Jul 1985	40090/89		21 Jan 1993	628069	Live
PAT118-6415-AU-PCT	AU	PCT1	04 Jul 1985	54976/90		06 Apr 1994	644359	Close
PAT118-6415-BE-EPA	BE	EPA1	04 Jul 1985	89106339.8	18 Oct 1989	21 Oct 1998	337359	Close
PAT118-6415-BE-EPT	BE	EPT1	04 Jul 1985	85903275.7	30 Jul 1986	11 Sep 1991	188479	Close
PAT118-6415-BE-SPC	BE	SPC1	25 Jun 1993	93C0104		30 Aug 1994	93C0104	Close
PAT118-6415-CA-DIV	CA	DIV1	26 Aug 1993	616701				Live
PAT118-6415-CA-DIV02	CA	DIV2	05 Jan 1996	617041				Live
PAT118-6415-CA-DIV03	CA	DIV3	05 Jan 1996	617042		14 Dec 1999	1340852	Live
PAT118-6415-CA-NP	CA	NP1	05 Jul 1985	486372				Live
PAT118-6415-CH-EPA	CH	EPA1	04 Jul 1985	89106339.8	18 Oct 1989	21 Oct 1998	337359	Close
PAT118-6415-CH-EPT	CH	EPT1	04 Jul 1985	85903275.7	30 Jul 1986	11 Sep 1991	188479-7	Close
PAT118-6415-CH-SPC	CH	SPC1	21 Sep 1995	C0188479/01		30 Apr 1996	C0188479/01	Close
PAT118-6415-CL-NP	CL	NP1	05 Aug 1985	484/85		10 Dec 1997	39428	Live
PAT118-6415-CY-FPR	CY	FPR1	13 Dec 1991	1629		18 Dec 1991	1629	Close

EXHIBIT 6

⊞ PAT118-6415-CY-SPC	CY	SPC1	22 Sep 1998	SPCC98/020		23 Jan 2003	SPPCCY98/020	Close
⊞ PAT118-6415-CZ-DIV	CZ	DIV1	10 Sep 1998	PV1998-2894		27 Jul 1999	285625	Close
⊞ PAT118-6415-CZ-NP	CZ	NP1	05 Jul 1985	PV1985-5059		03 Mar 1999	285023	Close
⊞ PAT118-6415-DE-EPA	DE	EPA1	04 Jul 1985	P3588199.2	18 Oct 1989	21 Oct 1998	337359	Close
⊞ PAT118-6415-DE-EPT	DE	EPT1	04 Jul 1985	85903275.7	30 Jul 1986	11 Sep 1991	P3584089.7	Close
⊞ PAT118-6415-DE-SPC	DE	SPC1	23 Jun 1993	19375055.4		12 Apr 1996	19375055.4	Close
⊞ PAT118-6415-DK-PCT	DK	PCT1	04 Jul 1985	1028/86		24 May 1994	168709	Close
⊞ PAT118-6415-DK-PCT02	DK	PCT2	21 May 1993	594/93		17 May 1999	172679	Close
⊞ PAT118-6415-DK-SPC	DK	SPC1	21 Jun 1994	CA199400007		16 Aug 1995	CR199400007	Close
⊞ PAT118-6415-EC-PCP	EC	PCP1	30 Dec 1994	941348	29 Jan 1996			Close
⊞ PAT118-6415-EP-EPA	EP	EPA1	04 Jul 1985	89106339.8	18 Oct 1989	21 Oct 1998	337359	Close
⊞ PAT118-6415-EP-EPT	EP	EPT1	04 Jul 1985	85903275.7	30 Jul 1986	11 Sep 1991	188479	Close
⊞ PAT118-6415-ES-NP	ES	NP1	04 Jul 1985	544868		07 Aug 1986	544868-9	Close
⊞ PAT118-6415-FI-PCT	FI	PCT1	04 Jul 1985	308/86		28 Mar 2002	FI108796	Close
⊞ PAT118-6415-FR-EPA	FR	EPA1	04 Jul 1985	89106339.8	18 Oct 1989	21 Oct 1998	337359	Close
⊞ PAT118-6415-FR-EPT	FR	EPT1	04 Jul 1985	85903275.7	30 Jul 1986	11 Sep 1991	188479	Close
⊞ PAT118-6415-FR-SPC	FR	SPC1	24 Jun 1993	93C0026		10 Feb 1995	93C0026	Close
⊞ PAT118-6415-GB-EPA	GB	EPA1	04 Jul 1985	89106339.8	18 Oct 1989	21 Oct 1998	337359	Close
⊞ PAT118-6415-GB-EPT	GB	EPT1	04 Jul 1985	85903275.7	30 Jul 1986	11 Sep 1991	188479	Close
⊞ PAT118-6415-GB-SPC	GB	SPC1	24 Jun 1993	SPC/GB93/092		03 Jun 1994	SPC/GB93/092	Close
⊞ PAT118-6415-GR-NP	GR	NP1	04 Jul 1985	851643/858/73		26 Nov 1985	851643	Close
⊞ PAT118-6415-HK-FPR	HK	FPR1	17 Jan 1992	50/92		12 Oct 1994	1115/94	Close
⊞ PAT118-6415-HK-FPR02	HK	FPR2	04 Dec 1998	98112849.1		28 Apr 2000	HK1011709	Close
⊞ PAT118-6415-HU-PCT	HU	PCT1	04 Jul 1985	3131/85	30 Jun 1986	05 Oct 1993	208711	Close
⊞ PAT118-6415-IE-DIV	IE	DIV1	10 Dec 1993	961/93		21 Mar 2003	82810	Close
⊞ PAT118-6415-IE-NP	IE	NP1	04 Jul 1985	1695/85		09 Aug 1994	60819	Close
⊞ PAT118-6415-IE-SPC	IE	SPC1	16 Aug 1994	6/94		29 Feb 1996	6/94	Close
⊞ PAT118-6415-IL-DIV	IL	DIV1	17 Jun 1990	94754		23 Dec 1993	94754	Close

⊞ PAT118-6415-PH-NP	PH	NP1	03 Jul 1985	32480		18 Sep 2002	1-1985-32480	Live
⊞ PAT118-6415-PH-NP02	PH	NP2	20 Mar 1987	35060				Live
⊞ PAT118-6415-PH-NP03	PH	NP3	19 Nov 1991	43483		19 Jul 2001	1-1991-43483	Live
⊞ PAT118-6415-PH-NP04	PH	NP4	19 Nov 1991	43482		19 Jul 2001	1-1991-43482	Live
⊞ PAT118-6415-PH-NP05	PH	NP5	19 Nov 1991	43481		26 Jul 2002	1-1991-43481	Live
⊞ PAT118-6415-PH-NP06	PH	NP6	19 Nov 1991	43484				Live
⊞ PAT118-6415-PK-NP	PK	NP1	04 Jul 1985	288/85				Close
⊞ PAT118-6415-PL-NP	PL	NP1	05 Jul 1985	254400		26 Sep 1990	153139	Close
⊞ PAT118-6415-PT-NP	PT	NP1	05 Jul 1985	80776		13 Feb 1987	80776	Close
⊞ PAT118-6415-RO-PCP	RO	PCP1	01 Sep 1998	98-20166		30 Dec 1999	2024T	Close
⊞ PAT118-6415-RU-PCT	RU	PCT1	04 Jul 1985	4027096				Close
⊞ PAT118-6415-RU-PCT02	RU	PCT2	04 Jul 1985	5001725		28 Aug 1998	2130493	Close
⊞ PAT118-6415-SA-NP	SA	NP1	20 Jun 1994	94150015		04 Sep 2004	265	Live
⊞ PAT118-6415-SE-EPA	SE	EPA1	04 Jul 1985	89106339.8	18 Oct 1989	21 Oct 1998	337359	Close
⊞ PAT118-6415-SE-EPT	SE	EPT1	04 Jul 1985	85903275.7	30 Jul 1986	11 Sep 1991	188479	Close
⊞ PAT118-6415-SE-SPC	SE	SPC1	12 Apr 1994	9490066-9		04 Jul 1994	9490066-9	Close
⊞ PAT118-6415-SG-NP	SG	NP1	20 Feb 1992	9191089-3		20 Feb 1992	9191089-3	Close
⊞ PAT118-6415-SK-NP	SK	NP1	05 Jul 1985	5059/85		15 Jul 1999	280265	Close
⊞ PAT118-6415-TT-NP	TT	NP1	21 Jan 1992	4/92		21 Jan 1992	4/92	Close
⊞ PAT118-6415-TW-NP	TW	NP1	05 Jul 1985	74-102941	21 Mar 1990	05 Jul 1990	NI-37776	Close
⊞ PAT118-6415-TY-NP	TY	NP1	06 Feb 1992	2435/92		06 Feb 1992	2435/92	Close
⊞ PAT118-6415-UA-NP	UA	NP1	04 Jul 1985	93004585		15 Jun 2001	39161	Close
⊞ PAT118-6415-UA-NP02	UA	NP2	04 Jul 1985	93004454		15 Nov 2000	29377	Close
⊞ PAT118-6415-US-CNT	US	CNT1	08 Aug 1994	08/287019		01 Jun 1999	5908763	Live
⊞ PAT118-6415-US-CNT02	US	CNT2	06 Jun 1995	08/466308		06 Apr 1999	5891429	Live
⊞ PAT118-6415-US-DIV	US	DIV1	06 Jun 1995	08/468694		24 Aug 1999	5942221	Live
⊞ PAT118-6415-US-DIV02	US	DIV2	06 Jun 1995	08/472022		24 Feb 1998	5720952	Live
⊞ PAT118-6415-US-NP	US	NP1	06 Jul 1984	628342				Close

⊞	PAT118-6415-US-NP02	US	NP2	19 Sep 1984	652447				Close
⊞	PAT118-6415-US-NP03	US	NP3	03 Sep 1986	903336				Close
⊞	PAT118-6415-US-NP04	US	NP4	06 Jun 1995	08/471694				Close
⊞	PAT118-6415-US-NP05	US	NP5	06 Jun 1995	08/468687				Live
⊞	PAT118-6415-US-PCT	US	PCT1	04 Jul 1985	853807				Close
⊞	PAT118-6415-US-PCT02	US	PCT2	29 Jan 1990	479014				Close
⊞	PAT118-6415-US-PCT03	US	PCT3	16 Jan 1992					Close
⊞	PAT118-6415-US-PCT04	US	PCT4	06 Apr 1993	08/43322				Close
⊞	PAT118-6415-UZ-NP	UZ	NP1	31 Dec 1993	9300825.2		29 Aug 1998	5445	Live
⊞	PAT118-6415-UZ-NP02	UZ	NP2	31 Dec 1993	9300801.2		16 Aug 1999	6107	Close
⊞	PAT118-6415-WO-PCT	WO	PCT1	04 Jul 1985	PCT/326/85	30 Jan 1986			Close
⊞	PAT118-6415-ZA-NP	ZA	NP1	05 Jul 1985	85/5102		25 Feb 1987	85/5102	Close